

SECOND AMENDED
APPLICATION FOR PERMIT

Nº 43491

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office..... APR 10 1981

Returned to applicant for correction..... JUN 10 1981

Corrected application filed.....

Map filed..... SEP 10 1981

The applicant..... COOK DRILLING CO., INC.

STAR RT. 15 BOX 453....., of LATHROPWELLS.....
Street and No. or P.O. Box No. City or Town

NEVADA 89020....., hereby make application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) INC. DATE: AUGUST 21, 1974 NYE COUNTY, NEVADA

1. The source of the proposed appropriation is..... UNDERGROUND SOURCE
Name of stream, lake or other source.

2. The amount of water applied for is..... 1.782 C.F.S.second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet..... acre-feet

3. The water to be used for..... INDUSTRIAL AND DOMESTIC USE
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated).....

(b) Stockwater (state number and kinds of animals to be watered).....

(c) Other use (describe fully under "No. 12. Remarks")..... AGGREGATE PRODUCTION

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point: SE1/4 SEC. 12, T. 16 S., R. 47

E. M.D.B. & M.; POINT BEING S. 18°26'06"E. 316 FEET TO THE SE CORNER OF SAID SECTION
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,

12. THIS TOWNSHIP IS UN-SURVEYED THE S1/4 CORNER AND BASIS OF BEARING WERE SET AS
it should be stated. PER INSTRUCTIONS BY LASEL BLAND, CHIEF OF CADASTRIAL SURVEYS.

6. Place of use S1/2 SW1/4 SECTION 12, T. 16 S., R. 47 E., M.D.B. & M. UNSURVEYED LAND
Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about..... JANUARY 1..... and end about..... DECEMBER 31....., of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)..... FROM WELL TO PIPE TO AGGREGATE PRODUCTION

PLANT.....
State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works.....\$15,000.....
10. Estimated time required to construct works.....ONE YEAR.....
If well completed, describe works.
11. Estimated time required to complete the application to beneficial use.....ONE YEAR.....
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

AGGREGATE PRODUCTION CONSISTS OF CRUSHING AND WASHING CONCRETE AGGREGATE AND SAND,
AND CRUSHING AGGREGATE FOR ROAD SURFACING. AMOUNT OF WATER USED WILL BE 48,000
G.P.H. 8HOURS/DAY 5 DAY/WEEK THROUGH THE YEAR.

By s/Brent R. Woolsey.....
Signature, applicant or agent
BOX 465
Compared sg/js.....bt/bc.....INDIAN SPRINGS, NEVADA 89018

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.....1.782.....cubic feet per second, but not to exceed.....99.84 million gallons annually.

Actual construction work shall begin on or before.....N/A.....

Proof of commencement of work shall be filed before.....N/A.....

Work must be prosecuted with reasonable diligence and be completed on or before.....February 1, 1983.....

Proof of completion of work shall be filed before.....March 1, 1983.....

Application of water to beneficial use shall be made on or before.....February 1, 1986.....

Proof of the application of water to beneficial use shall be filed on or before.....March 1, 1986.....

Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed.....IN TESTIMONY WHEREOF, I.....PETER G. MORROS.....
Completion of work filed.....State Engineer of Nevada, have hereunto set my hand and the seal of
Proof of beneficial use filed.....my office, this.....1st.....day of.....FEBRUARY.....
Cultural map filed.....

Certificate No.....APR 9 1985.....BECAUSE OF FAILURE OF PERMIT.....
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT.....
STATE ENGINEER